

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:23-CV-00020-MR-WCM**

CLARA M. MANN,

Plaintiff,

v.

TRAILS CAROLINA, LLC,

Defendant.

DEFENDANT’S MOTION TO DISMISS

NOW COMES Defendant Trails Carolina, LLC, by and through undersigned counsel, and hereby moves the Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and Local Rules 7.1, for dismissal of Plaintiff’s Complaint based on the *Memorandum of Law in Support of Defendant’s Motion to Dismiss* filed contemporaneously herewith and incorporated herein by reference.

Respectfully submitted,

[SIGNATURE ON THE FOLLOWING PAGE]

This the 24th of March, 2023.

**HEDRICK GARDNER KINCHELOE &
GAROFALO LLP**

By: /s/ David. L. Levy

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of filing to the following:

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This the 24th of March, 2023.

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